



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 13, 2010

Ms. Julie Nistler
Freedom of Information Officer
City of Park Ridge
200 S. Vine Ave.
Park Ridge, Illinois 60068

Dear Ms. Nistler:

RE: FOIA Pre-Approval Request – 2010 PAC 8927

We have received and reviewed the written notice from the City of Park Ridge Police Department of its intention to deny in part the request of [REDACTED] for records relating to an alleged home invasion and burglary. The Department seeks approval of the Public Access Counselor to redact birth dates from those records pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA) because they constitute "personal information, the disclosure of which would result in a clearly unwarranted invasion of personal privacy." 5 ILCS 140/7(1)(c). For purposes of FOIA, an "[u]nwarranted invasion of personal privacy means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs the legitimate public interest in obtaining the information." 5 ILCS 140/7(1)(c).

The Department also intends to withhold or redact other information pursuant to Sections 7(1)(b) and 7(1)(d) of FOIA. 5 ILCS 140/7(1)(b),(d). We will not discuss those exemption claims at this time because FOIA does not require a public body to obtain preauthorization from the Public Access Counselor of exemption claims under those provisions. See 5 ILCS 140/9.5(b)

As a result of our review, we have determined that birth dates mentioned in the records may be redacted pursuant to Section 7(1)(c) because disclosure would result in a clearly unwarranted invasion of the alleged victim's personal privacy. Therefore, the request to assert the exemption under Section 7(1)(c) is approved and further inquiry into this matter is not warranted.


If you have any questions, please feel free to contact me at 312-814-2770. This correspondence

will serve to close the matter.

Sincerely,

Cara Smith
Public Access Counselor

By:


John Schmidt
Assistant Attorney General

cc:

